

## MAYOR AND COUNCIL AGENDA PACKET

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EVELYN WYNN DIXON  
CYNTHIA STAMPS-JONES  
WAYNE HALL

WANDA WALLACE MAYOR PRO TEM  
KENNETH RUFFIN PARLIAMENTARIAN

MAYOR  
WARD 1  
WARD 2  
WARD 3  
WARD 4

IRIS JESSIE  
STEPHANIE THOMAS  
DEANA JOHNSON

CITY MANAGER  
CITY CLERK  
CITY ATTORNEY

April 12, 2010 5:30 p.m.  
Mayor and Council  
Work Session Agenda

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- A. **Call to Order/Welcome:**
  - B. **Roll Call-City Clerk:**
  - C. **Approval of Agenda:**
  - D. **City Manager's Report:**
  - E. **King Road Sidewalk project**
  - F. **Discussion of the Proposed Revisions to the Zoning Ordinance and the Town Center Mixed-Use (TCMU) Zoning Petition that will be heard on April 26, 2010.**
  - G. **Overview of Regular Session Agenda & Discussion of Agenda Items for the next meeting.**
  - H. **Adjournment into Executive Session to Discuss a Real Estate Matter. (The City's Recording Device is the only recording device allowed in Executive Sessions)**
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**Public Notices:**

- Please be advised that a Census Representative will be on site in the Community Development Department, located at 971 Wilson Road from March 19<sup>th</sup> through April 20<sup>th</sup>. It is vital that all Riverdale citizens are counted. Please contact the City Clerk at 770-909-5390 for additional details. The Census Representative will respond to any questions and/or concerns related to the Census Application and Questionnaire.
  - Notice is hereby given that the City of Riverdale Mayor and Council will meet on Saturday, April 9, 2010 from 9AM-Noon for a Mini-Retreat at Southern Regional Medical Center, 11 Upper Riverdale Road.
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- A. **CALL TO ORDER/WELCOME:**
- B. **ROLL CALL:**
- C. **INVOCATION/PLEDGE OF ALLEGIANCE:**
- D. **OFFICER IN ARMS TO READ RULES OF CONDUCT:**
- E. **APPROVAL OF AGENDA WITH ANY ADDITIONS/DELETIONS:**
- F. **PRESENTATION(S):**  
Proclamation to support Open Heart Surgery at Southern Regional Hospital.
- G. **CONSENT AGENDA:**  
**Adoption of the March 22, 2010 Mayor and Council Meeting Minutes.**
- I. **PUBLIC COMMENT:**  
This time has been provided for members of the public audience to address the Mayor and Council regarding items that may or may not appear on the Agenda. Please complete a blue comment card and provide it to the City Clerk so you may be acknowledged by the presiding officer at the appropriate time. Please remember, comments are generally limited to a total of five (5) minutes unless otherwise specified by the presiding officer.
- J. **RESOLUTION(S):**  
Resolution No. 10-04-2010 Authorization to create the position of Director of Planning, Zoning and Development by Iris Jessie, City Manager  
**A RESOLUTION OF THE RIVERDALE MAYOR AND CITY COUNCIL,  
AUTHORIZING THE REORGANIZATION OF THE COMMUNITY DEVELOPMENT  
& GENERAL SERVICES DEPARTMENT; TO CREATE THE POSITION OF  
DIRECTOR OF PLANNING, ZONING AND DEVELOPMENT; AND TO PROVIDE  
FOR AN EFFECTIVE DATE.**  
  
Resolution No. 11-04-2010 Authorization to Amend Planning and Zoning Division's Budget by Iris Jessie, City Manager  
**A RESOLUTION OF THE RIVERDALE MAYOR AND CITY COUNCIL APPROVING  
AN AMENDMENT TO THE FISCAL YEAR 2010 PLANNING AND ZONING BUDGET;  
AND PROVIDING FOR AN EFFECTIVE DATE.**



- K. **PUBLIC HEARING(S):**  
**Resolution No. 12-04-2010 Authorization to adopt the 2010 Comprehensive Plan Partial Update & Submit it to the Department of Community Affairs by Douglas Manning, Asst. City Manager**  
**BE IT HEREBY RESOLVED BY THE RIVERDALE MAYOR AND CITY COUNCIL THAT THE CITY OF RIVERDALE ADOPTS ITS 2010 COMPREHENSIVE PLAN PARTIAL UPDATE; APPROVES ITS SUBMISSION TO THE DEPARTMENT OF COMMUNITY AFFAIRS OF THE STATE OF GEORGIA; AND PROVIDES FOR AN EFFECTIVE DATE.**
- L. **MAYOR AND COUNCIL COMMENT(S):**
- M. **ADJOURNMENT:**





City of Riverdale  
Mayor and Council Meeting  
Work Session Minutes  
March 22, 2010 6:00 p.m.

The Riverdale Mayor and City Council met on March 22, 2010 at 6:00 pm for the purpose of conducting a regular Business Session. The meeting was held in the Council Chambers at City Hall located at 6690 Church Street, Riverdale, Georgia 30274.

**Call to Order and Welcome**

With a quorum present, Mayor Evelyn Wynn-Dixon called the meeting to order at 6:00 p.m.

**Roll Call**

All members of the governing body were present. Council Member Stamps-Jones entered the conference room at 6:35 p.m.

**Approval of Agenda**

Mayor Dixon called for additions, deletions, and or changes to the agenda. Council Member Hall responded that he was uncertain if he could participate in the vote due to the proceedings that he was under. Ms. Thomas explained that voting does not take place in work sessions.

**Postponement:** None.

**Tabled:** None.

**Additions:** None.

**City Manager's Report**

Ms. Iris Jessie, City Manager, reported that the last two (2) Mayor and Council Retreats have been successful; however, there was a need to schedule a Mini-Retreat. She informed the board that there were left-over items from the last retreat that needed to be finalized.

Ms. Jessie reminded the governing body that the hand-outs Mr. Manning provided to them regarding naming opportunities at the new facilities. She said she had not received anything in writing from the governing body; therefore, the retreat would afford them with the opportunity to discuss the item and reach consensus.

Ms. Jessie informed the board that the Downtown Development Authority (DDA) had recently taken actions to identify a preferred developer for the proposed hotel. She stated that the DDA wants to update the governing body and discuss financing options.

Ms. Jessie indicated that she had polled the Mayor and Mayor Protem to determine possible dates for the mini-retreat. She said they both suggested Saturday, April 9, 2010 from 8AM-12PM.

Mayor Dixon called for consensus to meet on the aforementioned date and time.

Council Member Cynthia Stamps-Jones said she would be there.

Council Members Kenny Ruffin and Wayne Hall said the meeting time was sufficient.

There was general consensus to schedule the Mini-Retreat on Saturday, April 9, 2010 from 8AM-12PM.

Ms. Jessie stated that staff would identify a facilitator; however, it may not necessarily be Ms. Booker.

Council Member Wallace opined that she would rather have Ms. Booker facilitate in that she is familiar with the governing body, and is abreast of their recent discussions about city projects.

Mayor Dixon opined that she would rather hire a local person if it were more cost efficient for the city.

Council Member Wallace stated that a new person would have to be brought up to date about city projects.

Mayor Dixon called for consensus.

Council Member Ruffin said that he would prefer someone other than Gale Webb because the city partners with Archway on several projects and he would not want to give the appearance that there is a conflict of interest.

Council Member Stamps-Jones said her preference is Jacque Booker.

Council Member Hall said he does not have a preference; however, he asked what would happen if she was not available.



Ms. Jessie asked the governing body if they wanted to defer the retreat in the event Ms. Booker was not available.

The general consensus of the governing body was to proceed with a nonaligned facilitator in Ms. Booker's absence.

Ms. Jessie informed the governing body of their continuous interaction with the Clayton County Tax Commission and Assessor to determine the status of the city's Tax Allocation District (TAD). She said staff also wanted to learn more about the mechanics of how the TAD is really supposed to work since the city is the only participant at this time.

Ms. Jessie further informed the governing body that the city would soon receive more precise maps. She said the staff members are working to ensure that the city's information is professional when presented to other agencies.

Ms. Jessie said there were plans to meet with Clayton County Public School (CCPS) officials about their participation in the TAD. She said CCPS seems interested; however, it is a great idea to meet with them to determine their specific needs.

Mayor Dixon asked if Ms. Jessie had contacted Dr. Heatley. Ms. Jessie said that she had been in contact with Dr. Stephanie Phillips.

Council Member Ruffin asked if Forest Park planned to move forward with the TAD.

Ms. Jessie said she was not sure. She said Forest Park and Morrow established TADS. She said they had already met with CCPS; however, they have not reached an agreement.

Council Member Ruffin said it was pertinent that the school board gets on board with the TAD in that it would determine how much money would be allotted. He stressed the importance of the Board of Education Members receiving the TAD training so they could understand what it is and how it will impact the parties involved. He said a law had been passed in recent years that required the school board's approval to enter into a TAD.

Ms. Jessie said Dr. Phillips said as soon as the city reaches consensus on at least three (3) points, she would place the item on the BOE's work session agenda.

Council Member Ruffin said that he wants the BOE to have an understanding of the TAD. He said any misunderstanding could halt progress.



**Overview of Regular Session Agenda & Discussion of Agenda Items for the next meeting.**

Deana Johnson, City Attorney, Jay Buller, reminded the board that she had recently provided the governing body with the proposed rewrite of the alcohol ordinance. She asked for consensus to discuss the matter.

There was general consensus to discuss the matter during the current work session.

Atty. Johnson pointed out that the distance requirements needed to be addressed in the new rewrite. She asked for permission for the Zoning Attorney to work with staff to determine the minimum distances that would allow alcohol to be sold/served/consumed in the mixed-used zone.

There was general consensus to allow the Zoning Attorney to work with staff on the distance requirements.

Atty. Johnson asked if there was consensus to allow alcohol in all three mixed-use zones.

There was consensus to allow alcohol in all three mixed-use zones.

Atty. Johnson said that the City Manager currently issues a letter of exemption from a Special Use Permit when there are private social gathering as long as there is no interference with roadways. Atty. Johnson recommended that the aforementioned practice remains in place. She said the city would maintain control over when and where such events are held.

There was general consensus to leave the abovementioned policy in place.

Atty. Johnson asked if there was any interest in the City or the DDA had any interest in securing an alcohol license for the public buildings at the Town Center.

Council Member Stamps-Jones asked if the employees of an outside vendor would have to secure a Pour License. Attorney Johnson said yes. She said the benefit to the City or DDA having the license is that it could be a revenue source and would still maintain control over the city's facilities.

Council Member Wanda Wallace asked about the liability associated with the City or DDA having a license. She asked if there would be an increase in the City's insurance premium if they decided to acquire an alcohol license.

Lonnie Ballard, Assistant City Manager, said that there is already a special provision for alcohol in the Special Events coverage; however, the city very rarely uses it.



Council Member Wallace inquired about the cost of the alcohol license. Atty. Johnson responded that the city would be required to purchase the license from itself for approximately \$5,000.00.

Council Member Wallace asked if the license would be valid for one (1) or two (2) years. Atty. Johnson responded that the license would be valid for one (1) year. She said the risk is that the City would recover the fee from income from the special events.

Council Member Stamps-Jones said that the only way to determine if the City or DDA would profit from the license is to establish user fees. Atty. Johnson said yes.

Council Member Wallace asked Mr. Ballard for his opinion.

Mr. Ballard said that his experience with the outside vendors is that they complained about the partnership not being profitable for them. He said the Pepper's claimed they had to pay for listed the City as additional insured. He said the governing body also needed to consider whether the DDA are interested in acquiring an alcohol license. He said he believes it is sensible to allow the City or DDA to secure the license. He said if the city decides to enact the Local Preference Program, it would limit the city to only two (2) vendors. He said he would not want to limit the city. He said it is cost prohibitive for vendors to come from outside the city's limits. Atty. Johnson said the pour license is only \$50.00 that covers the background check. She said any caterer could obtain one with no problem.

Atty. Johnson said the city could acquire a license within a matter of weeks.

Council Member Stamps-Jones asked about the pros and cons of acquiring a license. Atty. Johnson said the con is the possibility of a lawsuit. Mr. Ballard said there was no way to get around that type of liability. He said it is no different than any other business that serves alcohol.

Council Member Stamps-Jones asked Atty. Johnson to elaborate on the possibility of city facilities renters to be able to obtain their own license. Atty. Johnson said the city could definitely allow renters acquire a license; however, the license is \$5,000 and must be paid on each occasion.

Council Member Wallace said she prefers to have the City or DDA acquire the license so that renters will not have to pay so much.

Mr. Ballard asked if it is determined that the DDA will hold the license, could they have a direct relationship with the people who have Pour Permits. Atty. Johnson said the DDA could use select pourers or they could use their own pourers who would have to acquire a Pour License.

Atty. Johnson said if the City uses its own consumption license, they would not have to apply for a special event permit each time.

Council Member Wallace said she preferred to obtain a license that would allow the consumption of wine, beer and spirits.

Mr. Ballard asked if the DDA could have a direct relationship with a distributor. Atty. Johnson said yes, although it would not be profitable for the City.

Mr. Ballard asked if the DDA would be required to give the city a portion. Atty. Johnson said that the \$5,000 license fee would be the only fee that would come back to the city.

Council Member Wallace said she would like to receive a portion of the DDA's profits.

Mayor Dixon and Council Member Ruffin opposed the idea of taking a percentage of the DDA's profits in that the revenue would help them to become more self-sufficient.

Mayor Dixon called for consensus.

There was consensus to allow the DDA to acquire an alcohol license.

Atty. Johnson asked Mr. Ballard to let her know if the DDA does not want to pursue the alcohol license so she would know how to move forward.

Council Member Wallace asked for permission to address the Discussion and Possible Action Item about the Coin-Operated Machines Ordinance.

Atty. Johnson said that the individuals who requested to address the matter do not understand why jukeboxes have been categorized with other coin-operated machines that are meant for gambling. She said she completely understands their argument, but they need to appeal to the state legislators to set the law. She said the city does not have the authority to change a state definition. She said as it relates to the license fee, the city has the authority to revisit any of their fees at any time. She said she has recommended to other restaurants to remove the coin-operated element so the statute would not apply. Atty. Johnson said that the petitioner's final argument is why the city will not allow patrons to play music while alcohol is served. She said the city cannot exempt one category. They would either have to allow alcohol sales where there are coin-operated machines or leave the current ordinance in place that prohibits the sale of alcohol where there are coin-operated amusement machines.



Atty. Johnson provided the governing body with copies of the state and city ordinances. She said the city ordinance is an exact replica of the state ordinance. She said the city set the license fee at \$1,000 and the state's fee starts at \$250.

**Adjournment:**

There being no additional matters to come before the governing body and with a motion by Council Member Wanda Wallace, seconded by Council Member Kenny Ruffin, and with a unanimous vote, the meeting adjourned at 6:45 p.m.



City of Riverdale  
Mayor and Council Meeting  
Business Session Minutes  
March 22, 2010 7:00 p.m.

The Riverdale Mayor and City Council met on March 22, 2010 at 7:00 pm for the purpose of conducting a regular Business Session. The meeting was held in the Council Chambers at City Hall located at 6690 Church Street, Riverdale, Georgia 30274.

**Call to Order and Welcome**

With a quorum present, Mayor Evelyn Wynn-Dixon called the meeting to order at 7:00 pm.

**Roll Call**

All members of the governing body were present.

**Invocation/Pledge of Allegiance:** Stephanie L. Thomas, City Clerk, led the Invocation and the Pledge of Allegiance.

**THE OFFICER IN ARMS PUBLICLY READ THE RULES OF CONDUCT**

**Approval of Agenda:** Mayor Dixon called for additions, deletions, and or changes to the agenda.

There were no changes to the Business Session Agenda.

**Postponement:**       **None.**

**Tabled:**               **None.**

**Additions:**       **None.**

**Motion:** Council Member Kenny Ruffin moved to adopt the agenda. Council Member Wanda Wallace moved to second the motion. Measure was adopted unanimously by a vote of 4/0.

**Presentation(s):**

**The Covenant Group**

Mayor Evelyn Wynn Dixon publicly acknowledged The Covenant for their advocacy and community outreach. She explained that The Covenant is a diverse group of young men who travel to various communities to interact with young people who need male mentors. She said what distinguishes the group from others is that they contribute to communities that they do not reside in. She said they are all young men under the age of 18. Mayor Dixon called the group and their families to the front to be acknowledged by the Council and public audience.

The members of council publicly praised the young men and commended them for their exemplary and selfless service.

Council Member Stamps-Jones extended an invitation for the group to attend the Saving Our Sons event at Martin Luther King Elementary. She said the objective of the event is to give young men the tools they need to be successful men. She said the Riverdale Players, which is an acting troupe, will be featured on the program as well.

**Public Comment:**

This time has been provided for members of the public audience to address the Mayor and Council regarding items that may or may not appear on the Agenda. Please complete a blue comment card and provide it to the City Clerk so you may be acknowledged by the presiding officer at the appropriate time. Please remember, comments are generally limited to a total of five (5) minutes unless otherwise specified by the presiding officer.

**The following individuals participated in public comment:**

R. Shields, Southwest Atlanta, Georgia, representing the People's Agenda, asked the Mayor and Council to support their efforts to save C-Tran.

Representative Roberta Abdul-Salaam, 6235 Walker Road, Riverdale, Georgia, asked the governing body to support legislative action that would address the transportation crisis in Clayton County.

**Consent Agenda:**  
**Adoption of the Official Meeting Minutes from February 22, 2010.**

**Motion:** Council Member Kenny Ruffin moved consent agenda for approval. Council Member Cynthia Stamps-Jones moved to second its approval. The measure was passed unanimously.

**Resolution(s):**

**RESOLUTION NO. 08-03-2010 Request to circulate an RFP for Town Center Connector Road by Doug Manning**

**A RESOLUTION TO CIRCULATE A REQUEST FOR PROPOSALS (“RFP”) FOR GENERAL CONTRACTOR CONSTRUCTION SERVICES ASSOCIATED WITH THE TOWN CENTER CONNECTOR ROAD; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.**

Mr. Douglas Manning, Assistant City Manager, presented Resolution No. 08-03-2010. He reminded the governing body that the construction for the public components of the Town Center project is at the seventy (70%) mark. He further stated that the project is within budget and is expected to be completed in summer 2010. He said as a means of expanding economic development, the city wishes to construct a new road, which will provide connectivity to SR/85 and Church Street where the Town Center project is located. He said the road will afford the city new opportunities for the development of new commercial businesses.

Mr. Manning assured the governing body that there is no cost associated with circulation of the RFP. He said if the city decides to accept a bid and proceed with construction, the cost will be funded through the City’s Red Light Camera fund. Mr. Manning recommended that the governing body approve the resolution as presented.

Council Member Ruffin asked where the road would be located.

Mr. Manning stated that the road would be located between Beauty and beyond and Blockbuster Videos.



Council Member Ruffin strongly communicated the need to have a connector road from SR/85 to Church Street. He said it was critical to the success of the Town Center. He said if approved, this action is a tremendous step towards economic development in the city.

**Motion:** Council Member Kenny Ruffin moved to adopt Resolution No. 08-03-2010. Council Member Wanda Wallace moved to second its approval. The measure was adopted unanimously.

**RESOLUTION NO. 09-03-2010 Request to Purchase Vehicles for the Police Department by Samuel F. Patterson, Chief of Police**  
**A RESOLUTION OF THE RIVERDALE MAYOR AND COUNCIL TO APPROVE AN EMERGENCY PURCHASE OF FIVE (5) NEW POLICE VEHICLES; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.**

Chief Samuel Patterson presented Resolution no. 09-03-2010. He requested permission to purchase five (5) patrol vehicles for the police department. He said more than twenty cars were more than nine (9) to ten (10) years old and needed to be replaced; however, the department would only replace the five (5) of the top ten vehicles that required the most attention. He said the top ten vehicles costs the city more than \$35,000 annually. He said each vehicle will come fully loaded with essential patrol equipment and would cost approximately \$35,000 for unit. Chief Patterson assured the governing body that each newly purchased vehicle would be covered under warranty. Chief Patterson said if approved, the surplus cars will be sold to the highest bidder, and proceeds would be placed in the general fund.

**Motion:** Council Member Kenny Ruffin moved to adopt Resolution No. 09-03-2010. Council Member Wanda Wallace moved to second its approval. The measure was adopted unanimously.

**Ethics Complaint filed against Council Member Wayne Hall**

Attorney Johnson reminded the governing body of their previous discussion about the ethics charges. She stated that pursuant to the city's Code of Ethics, the governing body could conduct an internal investigation or they could appoint a disinterested attorney. She advised the governing body that an official vote was required to hire Mr. Bruce Edenfield at the rate of \$185.00 per hour.

**Motion:** Council Member Kenny Ruffin made a motion to hire Attorney Bruce Edenfield to cover the ethics charges that were filed against Council Member Wayne Hall. Council Member Wanda Wallace moved to second its approval. The measure was adopted by a vote of 3/0. Pursuant to the city's Code of Ethics, the accused may not participate in the vote or debate.



## **Mayor and Council Remarks**

### **Council Member Cynthia Stamps-Jones**

Council Member Cynthia Stamps-Jones thanked everyone for attending the meeting. She told them to have a safe drive home and she looked forward to seeing them at the next meeting.

### **Council Member Wayne Hall**

Council Member Wayne Hall thanked everyone for attending the meeting. He said it is vital that everyone continue to engage in the meetings as it is a vital process in the legislative process. He said it is important for people see what the governing body does so they will gain a better understanding of what goes on in the meetings. He told everyone to have a safe ride home and he would see them in two weeks.

### **Council Member Wanda Wallace**

Council Member Wanda Wallace thanked everyone for attending the meeting. She said she looked forward to seeing everyone at the next meeting.

### **Council Member Kenny Ruffin**

Council Member Kenny Ruffin made the following announcements:

Riverdale Atlanta Hawks Community Night on April 3<sup>rd</sup>.

Riverdale Realty Check April 17<sup>th</sup> at the Fountain of Faith.

Riverdale Realty Check April 24<sup>th</sup> at the Riverdale City Hall.

He reminded everyone that flyers were available to the public.

### **Mayor Evelyn Wynn Dixon**

Mayor Evelyn Wynn Dixon indicated that she is cognizant of how important transportation is to the community. She said the legislative body needed to discuss the matter in detail.

Mayor Dixon reported that Dunkin Donuts received the final approval to come to Riverdale. She said that she recently pleaded with the public to mentor two students at Riverdale Elementary and to much avail, the students now have male mentors.

Mayor Dixon said the Riverdale Women's Commission would hold a meeting on March 26<sup>th</sup> at 5:30 p.m. at city hall.

**Adjournment:** There being no additional matters to come before the governing body and with a motion by Council Member Kenny Ruffin, seconded by Council Member Wanda Wallace, and with a unanimous vote, the meeting adjourned at 7:50 p.m.